

SB2876



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2876

Introduced 1/16/2026, by Sen. Terri Bryant

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.6

from Ch. 122, par. 10-22.6

Amends the School Code. With respect to the suspension or expulsion of a student, requires all evidence, including, but not limited to, video evidence and written materials, held by a school district that has led to the decision to suspend or expel the student to be given to the student's parents or guardians before a suspension or expulsion hearing. Effective immediately.

LRB104 15184 LNS 28328 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 10-22.6 as follows:

6 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

7 (Text of Section before amendment by P.A. 102-466)

8 Sec. 10-22.6. Suspension or expulsion of students; school
9 searches.

10 (a) To expel students guilty of gross disobedience or
11 misconduct, including gross disobedience or misconduct
12 perpetuated by electronic means, pursuant to subsection (b-20)
13 of this Section, and no action shall lie against them for such
14 expulsion. Expulsion shall take place only after the parents
15 have been requested to appear at a meeting of the board, or
16 with a hearing officer appointed by it, to discuss their
17 child's behavior. Such request shall be made by registered or
18 certified mail and shall state the time, place and purpose of
19 the meeting. The board, or a hearing officer appointed by it,
20 at such meeting shall state the reasons for dismissal and the
21 date on which the expulsion is to become effective. If a
22 hearing officer is appointed by the board, the hearing officer
23 shall report to the board a written summary of the evidence

1 heard at the meeting and the board may take such action thereon
2 as it finds appropriate. If the board acts to expel a student,
3 the written expulsion decision shall detail the specific
4 reasons why removing the student from the learning environment
5 is in the best interest of the school. The expulsion decision
6 shall also include a rationale as to the specific duration of
7 the expulsion. An expelled student may be immediately
8 transferred to an alternative program in the manner provided
9 in Article 13A or 13B of this Code. A student must not be
10 denied transfer because of the expulsion, except in cases in
11 which such transfer is deemed to cause a threat to the safety
12 of students or staff in the alternative program.

13 (b) To suspend or by policy to authorize the
14 superintendent of the district or the principal, assistant
15 principal, or dean of students of any school to suspend
16 students guilty of gross disobedience or misconduct, or to
17 suspend students guilty of gross disobedience or misconduct on
18 the school bus from riding the school bus, pursuant to
19 subsections (b-15) and (b-20) of this Section, and no action
20 shall lie against them for such suspension. The board may by
21 policy authorize the superintendent of the district or the
22 principal, assistant principal, or dean of students of any
23 school to suspend students guilty of such acts for a period not
24 to exceed 10 school days. If a student is suspended due to
25 gross disobedience or misconduct on a school bus, the board
26 may suspend the student in excess of 10 school days for safety

1 reasons.

2 Any suspension shall be reported immediately to the
3 parents or guardian of a student along with a full statement of
4 the reasons for such suspension and a notice of their right to
5 a review. The school board must be given a summary of the
6 notice, including the reason for the suspension and the
7 suspension length. Upon request of the parents or guardian,
8 the school board or a hearing officer appointed by it shall
9 review such action of the superintendent or principal,
10 assistant principal, or dean of students. At such review, the
11 parents or guardian of the student may appear and discuss the
12 suspension with the board or its hearing officer. If a hearing
13 officer is appointed by the board, he shall report to the board
14 a written summary of the evidence heard at the meeting. After
15 its hearing or upon receipt of the written report of its
16 hearing officer, the board may take such action as it finds
17 appropriate. If a student is suspended pursuant to this
18 subsection (b), the board shall, in the written suspension
19 decision, detail the specific act of gross disobedience or
20 misconduct resulting in the decision to suspend. The
21 suspension decision shall also include a rationale as to the
22 specific duration of the suspension.

23 (b-5) Among the many possible disciplinary interventions
24 and consequences available to school officials, school
25 exclusions, such as out-of-school suspensions and expulsions,
26 are the most serious. School officials shall limit the number

1 and duration of expulsions and suspensions to the greatest
2 extent practicable, and it is recommended that they use them
3 only for legitimate educational purposes. To ensure that
4 students are not excluded from school unnecessarily, it is
5 recommended that school officials consider forms of
6 non-exclusionary discipline prior to using out-of-school
7 suspensions or expulsions.

8 (b-10) Unless otherwise required by federal law or this
9 Code, school boards may not institute zero-tolerance policies
10 by which school administrators are required to suspend or
11 expel students for particular behaviors.

12 (b-15) Out-of-school suspensions of 3 days or less may be
13 used only if the student's continuing presence in school would
14 pose a threat to school safety or a disruption to other
15 students' learning opportunities. For purposes of this
16 subsection (b-15), "threat to school safety or a disruption to
17 other students' learning opportunities" shall be determined on
18 a case-by-case basis by the school board or its designee.
19 School officials shall make all reasonable efforts to resolve
20 such threats, address such disruptions, and minimize the
21 length of suspensions to the greatest extent practicable.

22 (b-20) Unless otherwise required by this Code,
23 out-of-school suspensions of longer than 3 days, expulsions,
24 and disciplinary removals to alternative schools may be used
25 only if other appropriate and available behavioral and
26 disciplinary interventions have been exhausted and the

1 student's continuing presence in school would either (i) pose
2 a threat to the safety of other students, staff, or members of
3 the school community or (ii) substantially disrupt, impede, or
4 interfere with the operation of the school. For purposes of
5 this subsection (b-20), "threat to the safety of other
6 students, staff, or members of the school community" and
7 "substantially disrupt, impede, or interfere with the
8 operation of the school" shall be determined on a case-by-case
9 basis by school officials. For purposes of this subsection
10 (b-20), the determination of whether "appropriate and
11 available behavioral and disciplinary interventions have been
12 exhausted" shall be made by school officials. School officials
13 shall make all reasonable efforts to resolve such threats,
14 address such disruptions, and minimize the length of student
15 exclusions to the greatest extent practicable. Within the
16 suspension decision described in subsection (b) of this
17 Section or the expulsion decision described in subsection (a)
18 of this Section, it shall be documented whether other
19 interventions were attempted or whether it was determined that
20 there were no other appropriate and available interventions.

21 (b-25) Students who are suspended out-of-school for longer
22 than 3 school days shall be provided appropriate and available
23 support services during the period of their suspension. For
24 purposes of this subsection (b-25), "appropriate and available
25 support services" shall be determined by school authorities.
26 Within the suspension decision described in subsection (b) of

1 this Section, it shall be documented whether such services are
2 to be provided or whether it was determined that there are no
3 such appropriate and available services.

4 A school district may refer students who are expelled to
5 appropriate and available support services.

6 A school district shall create a policy to facilitate the
7 re-engagement of students who are suspended out-of-school,
8 expelled, or returning from an alternative school setting. In
9 consultation with stakeholders deemed appropriate by the State
10 Board of Education, the State Board of Education shall draft
11 and publish guidance for the re-engagement of students who are
12 suspended out-of-school, expelled, or returning from an
13 alternative school setting in accordance with this Section and
14 Section 13A-4 on or before July 1, 2025.

15 (b-30) A school district shall create a policy by which
16 suspended students, including those students suspended from
17 the school bus who do not have alternate transportation to
18 school, shall have the opportunity to make up work for
19 equivalent academic credit. It shall be the responsibility of
20 a student's parent or guardian to notify school officials that
21 a student suspended from the school bus does not have
22 alternate transportation to school.

23 (c) A school board must invite a representative from a
24 local mental health agency to consult with the board at the
25 meeting whenever there is evidence that mental illness may be
26 the cause of a student's expulsion or suspension.

1 (c-5) School districts shall make reasonable efforts to
2 provide ongoing professional development to all school
3 personnel, school board members, and school resource officers,
4 on the requirements of this Section and Section 10-20.14, the
5 adverse consequences of school exclusion and justice-system
6 involvement, effective classroom management strategies,
7 culturally responsive discipline, trauma-responsive learning
8 environments, as defined in subsection (b) of Section 3-11,
9 the appropriate and available supportive services for the
10 promotion of student attendance and engagement, and
11 developmentally appropriate disciplinary methods that promote
12 positive and healthy school climates.

13 (d) The board may expel a student for a definite period of
14 time not to exceed 2 calendar years, as determined on a
15 case-by-case basis. A student who is determined to have
16 brought one of the following objects to school, any
17 school-sponsored activity or event, or any activity or event
18 that bears a reasonable relationship to school shall be
19 expelled for a period of not less than one year:

20 (1) A firearm. For the purposes of this Section,
21 "firearm" means any gun, rifle, shotgun, weapon as defined
22 by Section 921 of Title 18 of the United States Code,
23 firearm as defined in Section 1.1 of the Firearm Owners
24 Identification Card Act, or firearm as defined in Section
25 24-1 of the Criminal Code of 2012. The expulsion period
26 under this subdivision (1) may be modified by the

1 superintendent, and the superintendent's determination may
2 be modified by the board on a case-by-case basis.

3 (2) A knife, brass knuckles or other knuckle weapon
4 regardless of its composition, a billy club, or any other
5 object if used or attempted to be used to cause bodily
6 harm, including "look alike" of any firearm as defined in
7 subdivision (1) of this subsection (d). The expulsion
8 requirement under this subdivision (2) may be modified by
9 the superintendent, and the superintendent's determination
10 may be modified by the board on a case-by-case basis.

11 Expulsion or suspension shall be construed in a manner
12 consistent with the federal Individuals with Disabilities
13 Education Act. A student who is subject to suspension or
14 expulsion as provided in this Section may be eligible for a
15 transfer to an alternative school program in accordance with
16 Article 13A of the School Code.

17 (d-5) The board may suspend or by regulation authorize the
18 superintendent of the district or the principal, assistant
19 principal, or dean of students of any school to suspend a
20 student for a period not to exceed 10 school days or may expel
21 a student for a definite period of time not to exceed 2
22 calendar years, as determined on a case-by-case basis, if (i)
23 that student has been determined to have made an explicit
24 threat on an Internet website against a school employee, a
25 student, or any school-related personnel, (ii) the Internet
26 website through which the threat was made is a site that was

1 accessible within the school at the time the threat was made or
2 was available to third parties who worked or studied within
3 the school grounds at the time the threat was made, and (iii)
4 the threat could be reasonably interpreted as threatening to
5 the safety and security of the threatened individual because
6 of the individual's duties or employment status or status as a
7 student inside the school.

8 (e) To maintain order and security in the schools, school
9 authorities may inspect and search places and areas such as
10 lockers, desks, parking lots, and other school property and
11 equipment owned or controlled by the school, as well as
12 personal effects left in those places and areas by students,
13 without notice to or the consent of the student, and without a
14 search warrant. As a matter of public policy, the General
15 Assembly finds that students have no reasonable expectation of
16 privacy in these places and areas or in their personal effects
17 left in these places and areas. School authorities may request
18 the assistance of law enforcement officials for the purpose of
19 conducting inspections and searches of lockers, desks, parking
20 lots, and other school property and equipment owned or
21 controlled by the school for illegal drugs, weapons, or other
22 illegal or dangerous substances or materials, including
23 searches conducted through the use of specially trained dogs.
24 If a search conducted in accordance with this Section produces
25 evidence that the student has violated or is violating either
26 the law, local ordinance, or the school's policies or rules,

1 such evidence may be seized by school authorities, and
2 disciplinary action may be taken. School authorities may also
3 turn over such evidence to law enforcement authorities.

4 (f) Suspension or expulsion may include suspension or
5 expulsion from school and all school activities and a
6 prohibition from being present on school grounds.

7 (g) A school district may adopt a policy providing that if
8 a student is suspended or expelled for any reason from any
9 public or private school in this or any other state, the
10 student must complete the entire term of the suspension or
11 expulsion in an alternative school program under Article 13A
12 of this Code or an alternative learning opportunities program
13 under Article 13B of this Code before being admitted into the
14 school district if there is no threat to the safety of students
15 or staff in the alternative program.

16 (h) School officials shall not advise or encourage
17 students to drop out voluntarily due to behavioral or academic
18 difficulties.

19 (i) A student may not be issued a monetary fine or fee as a
20 disciplinary consequence, though this shall not preclude
21 requiring a student to provide restitution for lost, stolen,
22 or damaged property.

23 (j) Subsections (a) through (i) of this Section shall
24 apply to elementary and secondary schools, charter schools,
25 special charter districts, and school districts organized
26 under Article 34 of this Code.

1 (k) The expulsion of students enrolled in programs funded
2 under Section 1C-2 of this Code is subject to the requirements
3 under paragraph (7) of subsection (a) of Section 2-3.71 of
4 this Code.

5 (l) An in-school suspension program provided by a school
6 district for any students in kindergarten through grade 12 may
7 focus on promoting non-violent conflict resolution and
8 positive interaction with other students and school personnel.
9 A school district may employ a school social worker or a
10 licensed mental health professional to oversee an in-school
11 suspension program in kindergarten through grade 12.

12 (Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22;
13 103-594, eff. 6-25-24; 103-896, eff. 8-9-24; revised 9-25-24.)

14 (Text of Section after amendment by P.A. 102-466)

15 Sec. 10-22.6. Suspension or expulsion of students; school
16 searches.

17 (a) To expel students guilty of gross disobedience or
18 misconduct, including gross disobedience or misconduct
19 perpetuated by electronic means, pursuant to subsection (b-20)
20 of this Section, and no action shall lie against them for such
21 expulsion. Expulsion shall take place only after the parents
22 or guardians have been requested to appear at a meeting of the
23 board, or with a hearing officer appointed by it, to discuss
24 their child's behavior. Such request shall be made by
25 registered or certified mail and shall state the time, place

1 and purpose of the meeting and shall include all evidence,
2 including, but not limited to, video evidence and written
3 materials, held by the school district that has led to the
4 school board's decision to expel the student. The board, or a
5 hearing officer appointed by it, at such meeting shall state
6 the reasons for dismissal and the date on which the expulsion
7 is to become effective. If a hearing officer is appointed by
8 the board, the hearing officer shall report to the board a
9 written summary of the evidence heard at the meeting and the
10 board may take such action thereon as it finds appropriate. If
11 the board acts to expel a student, the written expulsion
12 decision shall detail the specific reasons why removing the
13 student from the learning environment is in the best interest
14 of the school. The expulsion decision shall also include a
15 rationale as to the specific duration of the expulsion. An
16 expelled student may be immediately transferred to an
17 alternative program in the manner provided in Article 13A or
18 13B of this Code. A student must not be denied transfer because
19 of the expulsion, except in cases in which such transfer is
20 deemed to cause a threat to the safety of students or staff in
21 the alternative program. Nothing in this subsection (a)
22 requires a school district to not be in compliance with the
23 federal Family Educational Rights and Privacy Act of 1974.

24 (b) To suspend or by policy to authorize the
25 superintendent of the district or the principal, assistant
26 principal, or dean of students of any school to suspend

1 students guilty of gross disobedience or misconduct, or to
2 suspend students guilty of gross disobedience or misconduct on
3 the school bus from riding the school bus, pursuant to
4 subsections (b-15) and (b-20) of this Section, and no action
5 shall lie against them for such suspension. The board may by
6 policy authorize the superintendent of the district or the
7 principal, assistant principal, or dean of students of any
8 school to suspend students guilty of such acts for a period not
9 to exceed 10 school days. If a student is suspended due to
10 gross disobedience or misconduct on a school bus, the board
11 may suspend the student in excess of 10 school days for safety
12 reasons.

13 Any suspension shall be reported immediately to the
14 parents or guardians of a student along with a full statement
15 of the reasons for such suspension, any evidence, including,
16 but not limited to, video evidence and written materials, held
17 by the school district that led to the suspension of the
18 student, and a notice of the parents' or guardians' their
19 right to a review. The school board must be given a summary of
20 the notice, including the reason for the suspension and the
21 suspension length. Upon request of the parents or guardians,
22 the school board or a hearing officer appointed by it shall
23 review such action of the superintendent or principal,
24 assistant principal, or dean of students. At such review, the
25 parents or guardians of the student may appear and discuss the
26 suspension with the board or its hearing officer. If a hearing

1 officer is appointed by the board, he shall report to the board
2 a written summary of the evidence heard at the meeting. After
3 its hearing or upon receipt of the written report of its
4 hearing officer, the board may take such action as it finds
5 appropriate. If a student is suspended pursuant to this
6 subsection (b), the board shall, in the written suspension
7 decision, detail the specific act of gross disobedience or
8 misconduct resulting in the decision to suspend. The
9 suspension decision shall also include a rationale as to the
10 specific duration of the suspension. Nothing in this
11 subsection (b) requires a school district to not be in
12 compliance with the federal Family Educational Rights and
13 Privacy Act of 1974.

14 (b-5) Among the many possible disciplinary interventions
15 and consequences available to school officials, school
16 exclusions, such as out-of-school suspensions and expulsions,
17 are the most serious. School officials shall limit the number
18 and duration of expulsions and suspensions to the greatest
19 extent practicable, and it is recommended that they use them
20 only for legitimate educational purposes. To ensure that
21 students are not excluded from school unnecessarily, it is
22 recommended that school officials consider forms of
23 non-exclusionary discipline prior to using out-of-school
24 suspensions or expulsions.

25 (b-10) Unless otherwise required by federal law or this
26 Code, school boards may not institute zero-tolerance policies

1 by which school administrators are required to suspend or
2 expel students for particular behaviors.

3 (b-15) Out-of-school suspensions of 3 days or less may be
4 used only if the student's continuing presence in school would
5 pose a threat to school safety or a disruption to other
6 students' learning opportunities. For purposes of this
7 subsection (b-15), "threat to school safety or a disruption to
8 other students' learning opportunities" shall be determined on
9 a case-by-case basis by the school board or its designee.
10 School officials shall make all reasonable efforts to resolve
11 such threats, address such disruptions, and minimize the
12 length of suspensions to the greatest extent practicable.

13 (b-20) Unless otherwise required by this Code,
14 out-of-school suspensions of longer than 3 days, expulsions,
15 and disciplinary removals to alternative schools may be used
16 only if other appropriate and available behavioral and
17 disciplinary interventions have been exhausted and the
18 student's continuing presence in school would either (i) pose
19 a threat to the safety of other students, staff, or members of
20 the school community or (ii) substantially disrupt, impede, or
21 interfere with the operation of the school. For purposes of
22 this subsection (b-20), "threat to the safety of other
23 students, staff, or members of the school community" and
24 "substantially disrupt, impede, or interfere with the
25 operation of the school" shall be determined on a case-by-case
26 basis by school officials. For purposes of this subsection

1 (b-20), the determination of whether "appropriate and
2 available behavioral and disciplinary interventions have been
3 exhausted" shall be made by school officials. School officials
4 shall make all reasonable efforts to resolve such threats,
5 address such disruptions, and minimize the length of student
6 exclusions to the greatest extent practicable. Within the
7 suspension decision described in subsection (b) of this
8 Section or the expulsion decision described in subsection (a)
9 of this Section, it shall be documented whether other
10 interventions were attempted or whether it was determined that
11 there were no other appropriate and available interventions.

12 (b-25) Students who are suspended out-of-school for longer
13 than 3 school days shall be provided appropriate and available
14 support services during the period of their suspension. For
15 purposes of this subsection (b-25), "appropriate and available
16 support services" shall be determined by school authorities.
17 Within the suspension decision described in subsection (b) of
18 this Section, it shall be documented whether such services are
19 to be provided or whether it was determined that there are no
20 such appropriate and available services.

21 A school district may refer students who are expelled to
22 appropriate and available support services.

23 A school district shall create a policy to facilitate the
24 re-engagement of students who are suspended out-of-school,
25 expelled, or returning from an alternative school setting. In
26 consultation with stakeholders deemed appropriate by the State

1 Board of Education, the State Board of Education shall draft
2 and publish guidance for the re-engagement of students who are
3 suspended out-of-school, expelled, or returning from an
4 alternative school setting in accordance with this Section and
5 Section 13A-4 on or before July 1, 2025.

6 (b-30) A school district shall create a policy by which
7 suspended students, including those students suspended from
8 the school bus who do not have alternate transportation to
9 school, shall have the opportunity to make up work for
10 equivalent academic credit. It shall be the responsibility of
11 a student's parents or guardians to notify school officials
12 that a student suspended from the school bus does not have
13 alternate transportation to school.

14 (b-35) In all suspension review hearings conducted under
15 subsection (b) or expulsion hearings conducted under
16 subsection (a), a student may disclose any factor to be
17 considered in mitigation, including his or her status as a
18 parent, expectant parent, or victim of domestic or sexual
19 violence, as defined in Article 26A. A representative of the
20 parent's or guardian's choice, or of the student's choice if
21 emancipated, must be permitted to represent the student
22 throughout the proceedings and to address the school board or
23 its appointed hearing officer. With the approval of the
24 student's parent or guardian, or of the student if
25 emancipated, a support person must be permitted to accompany
26 the student to any disciplinary hearings or proceedings. The

1 representative or support person must comply with any rules of
2 the school district's hearing process. If the representative
3 or support person violates the rules or engages in behavior or
4 advocacy that harasses, abuses, or intimidates either party, a
5 witness, or anyone else in attendance at the hearing, the
6 representative or support person may be prohibited from
7 further participation in the hearing or proceeding. A
8 suspension or expulsion proceeding under this subsection
9 (b-35) must be conducted independently from any ongoing
10 criminal investigation or proceeding, and an absence of
11 pending or possible criminal charges, criminal investigations,
12 or proceedings may not be a factor in school disciplinary
13 decisions.

14 (b-40) During a suspension review hearing conducted under
15 subsection (b) or an expulsion hearing conducted under
16 subsection (a) that involves allegations of sexual violence by
17 the student who is subject to discipline, neither the student
18 nor his or her representative shall directly question nor have
19 direct contact with the alleged victim. The student who is
20 subject to discipline or his or her representative may, at the
21 discretion and direction of the school board or its appointed
22 hearing officer, suggest questions to be posed by the school
23 board or its appointed hearing officer to the alleged victim.

24 (c) A school board must invite a representative from a
25 local mental health agency to consult with the board at the
26 meeting whenever there is evidence that mental illness may be

1 the cause of a student's expulsion or suspension.

2 (c-5) School districts shall make reasonable efforts to
3 provide ongoing professional development to all school
4 personnel, school board members, and school resource officers
5 on the requirements of this Section and Section 10-20.14, the
6 adverse consequences of school exclusion and justice-system
7 involvement, effective classroom management strategies,
8 culturally responsive discipline, trauma-responsive learning
9 environments, as defined in subsection (b) of Section 3-11,
10 the appropriate and available supportive services for the
11 promotion of student attendance and engagement, and
12 developmentally appropriate disciplinary methods that promote
13 positive and healthy school climates.

14 (d) The board may expel a student for a definite period of
15 time not to exceed 2 calendar years, as determined on a
16 case-by-case basis. A student who is determined to have
17 brought one of the following objects to school, any
18 school-sponsored activity or event, or any activity or event
19 that bears a reasonable relationship to school shall be
20 expelled for a period of not less than one year:

21 (1) A firearm. For the purposes of this Section,
22 "firearm" means any gun, rifle, shotgun, weapon as defined
23 by Section 921 of Title 18 of the United States Code,
24 firearm as defined in Section 1.1 of the Firearm Owners
25 Identification Card Act, or firearm as defined in Section
26 24-1 of the Criminal Code of 2012. The expulsion period

1 under this subdivision (1) may be modified by the
2 superintendent, and the superintendent's determination may
3 be modified by the board on a case-by-case basis.

4 (2) A knife, brass knuckles or other knuckle weapon
5 regardless of its composition, a billy club, or any other
6 object if used or attempted to be used to cause bodily
7 harm, including "look alike" of any firearm as defined in
8 subdivision (1) of this subsection (d). The expulsion
9 requirement under this subdivision (2) may be modified by
10 the superintendent, and the superintendent's determination
11 may be modified by the board on a case-by-case basis.

12 Expulsion or suspension shall be construed in a manner
13 consistent with the federal Individuals with Disabilities
14 Education Act. A student who is subject to suspension or
15 expulsion as provided in this Section may be eligible for a
16 transfer to an alternative school program in accordance with
17 Article 13A of the School Code.

18 (d-5) The board may suspend or by regulation authorize the
19 superintendent of the district or the principal, assistant
20 principal, or dean of students of any school to suspend a
21 student for a period not to exceed 10 school days or may expel
22 a student for a definite period of time not to exceed 2
23 calendar years, as determined on a case-by-case basis, if (i)
24 that student has been determined to have made an explicit
25 threat on an Internet website against a school employee, a
26 student, or any school-related personnel, (ii) the Internet

1 website through which the threat was made is a site that was
2 accessible within the school at the time the threat was made or
3 was available to third parties who worked or studied within
4 the school grounds at the time the threat was made, and (iii)
5 the threat could be reasonably interpreted as threatening to
6 the safety and security of the threatened individual because
7 of the individual's duties or employment status or status as a
8 student inside the school.

9 (e) To maintain order and security in the schools, school
10 authorities may inspect and search places and areas such as
11 lockers, desks, parking lots, and other school property and
12 equipment owned or controlled by the school, as well as
13 personal effects left in those places and areas by students,
14 without notice to or the consent of the student, and without a
15 search warrant. As a matter of public policy, the General
16 Assembly finds that students have no reasonable expectation of
17 privacy in these places and areas or in their personal effects
18 left in these places and areas. School authorities may request
19 the assistance of law enforcement officials for the purpose of
20 conducting inspections and searches of lockers, desks, parking
21 lots, and other school property and equipment owned or
22 controlled by the school for illegal drugs, weapons, or other
23 illegal or dangerous substances or materials, including
24 searches conducted through the use of specially trained dogs.
25 If a search conducted in accordance with this Section produces
26 evidence that the student has violated or is violating either

1 the law, local ordinance, or the school's policies or rules,
2 such evidence may be seized by school authorities, and
3 disciplinary action may be taken. School authorities may also
4 turn over such evidence to law enforcement authorities.

5 (f) Suspension or expulsion may include suspension or
6 expulsion from school and all school activities and a
7 prohibition from being present on school grounds.

8 (g) A school district may adopt a policy providing that if
9 a student is suspended or expelled for any reason from any
10 public or private school in this or any other state, the
11 student must complete the entire term of the suspension or
12 expulsion in an alternative school program under Article 13A
13 of this Code or an alternative learning opportunities program
14 under Article 13B of this Code before being admitted into the
15 school district if there is no threat to the safety of students
16 or staff in the alternative program. A school district that
17 adopts a policy under this subsection (g) must include a
18 provision allowing for consideration of any mitigating
19 factors, including, but not limited to, a student's status as
20 a parent, expectant parent, or victim of domestic or sexual
21 violence, as defined in Article 26A.

22 (h) School officials shall not advise or encourage
23 students to drop out voluntarily due to behavioral or academic
24 difficulties.

25 (i) A student may not be issued a monetary fine or fee as a
26 disciplinary consequence, though this shall not preclude

1 requiring a student to provide restitution for lost, stolen,
2 or damaged property.

3 (j) Subsections (a) through (i) of this Section shall
4 apply to elementary and secondary schools, charter schools,
5 special charter districts, and school districts organized
6 under Article 34 of this Code.

7 (k) Through June 30, 2026, the expulsion of students
8 enrolled in programs funded under Section 1C-2 of this Code is
9 subject to the requirements under paragraph (7) of subsection
10 (a) of Section 2-3.71 of this Code.

11 (k-5) On and after July 1, 2026, the expulsion of children
12 enrolled in programs funded under Section 15-25 of the
13 Department of Early Childhood Act is subject to the
14 requirements of paragraph (7) of subsection (a) of Section
15 15-30 of the Department of Early Childhood Act.

16 (l) An in-school suspension program provided by a school
17 district for any students in kindergarten through grade 12 may
18 focus on promoting non-violent conflict resolution and
19 positive interaction with other students and school personnel.
20 A school district may employ a school social worker or a
21 licensed mental health professional to oversee an in-school
22 suspension program in kindergarten through grade 12.

23 (Source: P.A. 102-466, eff. 7-1-25; 102-539, eff. 8-20-21;
24 102-813, eff. 5-13-22; 103-594, eff. 6-25-24; 103-896, eff.
25 8-9-24; revised 9-25-24.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.